

SUMMARY OF CLAIMS

Claim 14 is cancelled. Claims 1-13 and claim 15 are pending. Reconsideration is respectfully requested in view of the following remarks.

REMARKS

I. Claim Rejections Under 35 U.S.C. §102(b):

The Examiner has rejected claims 1 and 15 under 35 U.S.C. §102(b) as being anticipated by Monforte et al (U.S. 5,700,642).

Applicants respectfully traverse the above rejection.

“To anticipate a claim, the reference must teach every element of the claim.” MPEP 2131. Monforte fails to teach or disclose all of the claimed limitations of independent claim 1. Specifically, Monforte fails to teach a solid support for performing a plurality of polynucleotide amplification reactions that comprises a releasable primer for each amplification reaction, “wherein said primer is immobilized on a surface of said solid support, and *is adapted to be released before, during or after the amplification reaction*. In fact, nowhere does Monforte teach a solid support with amplification primers that can be released prior to an amplification reaction. On the contrary, of Monforte teaches that ”The modified primer further contains an immobilization attachment site typically located at the 5’ end or 5’ relative to the cleavable site. Preferably, the cleavable site is located at or within five nucleotides from the 3’ end of the primer.” In addition, upon cleavage of Monforte’s primers from the solid support, a large portion of the primer fragment remains affixed to the solid support to permit the release of primer extension products that contain only a few, if any base pairs of the primer sequence. See Monforte’s Abstract, and col. 3, line 61 through col. 4 line 21. Therefore, Monforte’s primers can only be cleaved after amplification, and furthermore, only a fragment of the primer is actually released. Based on the foregoing, Claim1 is not anticipated by Monforte, and the above rejection 35 U.S.C. §102(b) should be withdrawn.

II. Claim rejections Under 35 U.S.C §103(a):

The Examiner has rejected Claims 2-13 under 35 U.S.C. §103(a) as being unpatentable over Rava et al. (U.S. 5,545,531) and Monforte (U.S. 5,700,642)

Applicants respectfully traverse the above rejection.

To establish a *prima facie* case of obviousness, “the prior art reference (or references when combined) must teach all or suggest all the claim limitations.” MPEP2143. As discussed above, Monforte does not teach or suggests all of the claimed limitations. Similarly, and as conceded by the Examiner, Rava et al does not teach primers. ,.” See Office Action p. 5 (“Rava et al. teach supports for processing multiple chip assays, but do not teach primers...”).

Thus, the references cited by the Examiner, whether considered alone or in combination, do not teach or suggest all the elements of Claims 2 or 3, and fail to fulfill at least one of the requirements needed to establish a *prima facie* case of obviousness. Based on the foregoing, Applicants respectfully request that the rejection of Claims 3 and 4 be withdrawn.

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CONCLUSION

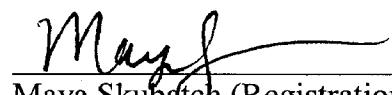
In light of the remarks set forth above, Applicants believe that they are entitled to a letters patent. Applicants respectfully solicit the Examiner to expedite the prosecution of this patent application to issuance. Should the Examiner have any question, the Examiner is encouraged to telephone the undersigned.

The Commissioner is authorized to charge any fees that may be required in connection with this submission, including petition fees and extension of time fees, and to credit any overpayments to Deposit Account No. 23-2415 (Attorney Docket No. 28690-705.302).

Respectfully submitted,

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